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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,191	07/06/2001	Masaya Nozawa	401297	2703

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EXAMINER

THOMAS, BRANDI N

ART UNIT	PAPER NUMBER
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2873

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,191

Applicant(s)

NOZAWA ET AL.

Examiner

Brandi N Thomas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/21/03 (Amendment B).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: *Detailed Action*.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (6115191) in view of Kawamoto et al. (5717530).

Regarding claim 1, Ito et al teaches a lens barrel (figure 1) comprising: a plurality of cylindrical bodies expandable in a multistage fashion (col. 4, lines 14-50 tubes); an optical lens system (figure 1) constituted by a plurality of lens groups (120, 130, 140) disposed along an optical axis, all of said plurality of lens groups being accommodated in a leading cylindrical body (60) among said plurality of cylindrical bodies; a driving source (190) incorporated in said leading cylindrical body, wherein said optical lens system comprises a fixed lens group (120) secured to said leading cylindrical body and at least one movable lens group (130) movable along the optical axis upon receiving a driving force on said driving source (col. 9, lines 35-48) except that it does not show an a second fixed lens group. Kawamoto et al. shows that it is known to provide a second

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fixed lens group (G1) for supporting the guide members for guiding the movable lens in a direction of the optical axis (col. 4, lines 33-35). Therefore it would have been obvious to someone of ordinary skill in the art at the time the invention was made to combine the teaching of Ito et al. with the second fixed lens of Kawamoto et al. for the purpose of providing support to the guide members for guiding the movable lens in a direction of the optical axis (col. 4, lines 33-35).

Regarding claim 2, Ito et al. teaches the claimed invention except that it does not show a movable lens disposed between two fixed lenses. Kawamoto et al. shows that it is known to provide a movable lens (G2) disposed between two fixed lenses (22 and 23) for supporting the guide members for guiding the movable lens in a direction of the optical axis (col. 4, lines 33-35). Therefore it would have been obvious to someone of ordinary skill in the art at the time the invention was made to combine the teaching of Ito et al. with the structure of Kawamoto et al. for the purpose of providing for support to the guide members for guiding the movable lens in a direction of the optical axis (col. 4, lines 33-35).

Regarding claim 3, Ito et al. discloses a lens barrel (figure 7) further comprising a movable lens frame (90) attached to said movable lens group (130); a threaded shaft (172), in mesh with said movable lens frame, oriented along the optical axis of said plurality of lens groups; and a rotary driving section (173) for supplying a rotary force to said threaded shaft so as to rotate said movable lens group along the optical axis direction.

Regarding claim 4, Ito et al. discloses the lens barrel wherein said lens optical system is a taking optical system of an optical device (col. 2, lines 40-62).

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kikuchi (5212598) discloses a zoom tracking apparatus of a focusing lens in which a position of a focusing lens is controlled to an in-focus position.

Shirie (5130851) discloses a zoom lens apparatus, which is ideal for use in a video camera.

Tanaka et al. (4364642) discloses a zoom objective includes four lens groups of which the first and fourth are stationary.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N Thomas whose telephone number is 703-308-3095. The examiner can normally be reached on 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 703-308-4883. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7724 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-4883.



BNT
July 10, 2003



RICKY MACK
PRIMARY EXAMINER